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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/812,705

03/19/2001

Darwin Hou

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7590

07/15/2004

SILICON VALLEY PATENT AGENCY, INC.
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EXAMINER

DESIRE, GREGORY M

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/812,705

Applicant(s)

HOU, DARWIN

Examiner

Gregory M. Desire

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communication filed 4/29/04.

Response to Amendment

2. Applicant's arguments with respect to claims 1-7 and 9-15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-6 and 9-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Lipman et al. (6,104,845).

Regarding claims 1 and 9 Lipman discloses,

A portable computing device (note fig. 7, block 30 col. 2 line 49 and col. 5 lines 48-51, examiner interprets a hand held device with a processor as portable computing device);

A scanner integrated with portable computing device (fig. 7, block 4, CCD is integrated with connecting portable computing device), the scanner exposing to a

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scanning object (note col. 2 lines 50-51, scanner exposing to a scanning object, i.e. printed text) and generating an image thereof when the portable computing device and the scanning object have a relative motion (note col. 6 lines 34-36, scanner acquires, reading one line at a time is the relative motion); and

Wherein the portable computing device includes an optical recognition engine that receives the image and produces text therefrom (note col. 7 line —col. 6 line 4, cites OCR program receiving text).

Regarding claim 2 Lipman discloses,

Wherein the portable computing device includes a display screen for displaying the texts from the optical recognition engine (note fig. 7 block 6 in connection with col. 2 lines 63-65). Portable computing device includes a display screen displaying recognized texts.

Regarding claim 3 Lipman discloses,

Wherein the optical recognition engine is a software module executing in the portable computing device (note col. 6 lines 1-7). The examiner interprets OCR programs as a software module.

Regarding claim 4 Lipman discloses,

Wherein the scanner is operatively controllable through the portable computing device (note col. 5 lines 48-49, CCD controllable through the portable processing unit)

Regarding claim 5 Lipman discloses,

Wherein the image resolution of the scanner is re-configurable through the portable device (note col. 5 lines 57-63 and fig. 7 block 6, display have control that reformats and control the text that was scanned and displayed).

Regarding claim 6 Lipman discloses,

Wherein the scanner includes an optical encoder that records the relative motion between the portable computing device and the scanning object (note col. 3 lines 13-16, CCD is optical sensor, scanning object to be processed portable computing device via optical program);

Regarding claim 7 Lipman discloses,

Wherein the scanner is a contact image sensor including a linear sensor (note col. 3 lines 13-16), an array of optical lenses (optical sensor fig. 7 block 4), and an illumination source (note fig. 7 block 22, LED)

Regarding claim 10 Lipman discloses,

Wherein the linear scanner further includes an optical encoder to synchronize the image to be generated by the linear scanner (note col. 3 lines 13-16, CCD is linear array).

Regarding claim 11 Lipman discloses,

Wherein the portable computing device executes one or more application to parse the texts and fill in appropriate fields of one or more records (note col. 7 block 36, dictionary includes parse text).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lipman in view of Kolster.

Regarding claim 12 Lipman is silent disclosing,

Wherein the portable computing device is able to transport one or more records to another device.

Kolster discloses portable computing device is able to transport the one or more records to another device via a communication link (note Kolster col. 8 lines 7-13). Modem allows communication with another device. Therefore it would have been obvious to a person having ordinary skill in the art the time the invention was made to

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include means to transport records to another device via a communication link in the system of Lipman as evidenced by Kolster.

Communication with remote computer would be a desirable feature in scanning art due to modem function and Kolster recognizes that increase communication would be expected (note Kolster col. 8 lines 7-14) when transporting records to another device of Kolster is included in Lipman.

Regarding claim 13 Lipman and Kolster discloses,

Wherein the communication link is either a wired link or wireless link (note Kolster col. 8 lines 7-13, modem link can be either wired or wireless).

Regarding claim 14 Lipman and Kolster discloses,

Wherein the portable computing device includes telephonic function (note Kolster col. 8 lines 7-13, modem provide telephonic functionality).

7. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lipman in view of Hongoh (5,115,374).

Regarding claim 15 Lipman is silent, wherein the area of the scanning document also includes a graphic representation. However, Hongoh discloses a scanning document includes graphic representation (note col. 4 lines 41-45). Therefore it would have been obvious to one having ordinary skills in the art to disclose scanning document includes

graphic representation in the system of Lipman as evidenced by Hongoh. Lipman teaches reference book to be scanned and Hongoh in the same field of endeavor discloses, photograph data as a type of scanning document-providing variety in documents to be scanned.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory M. Desire whose telephone number is (703)

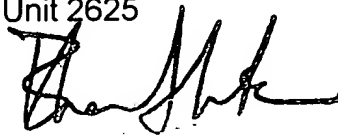
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308-9586. The examiner can normally be reached on M-F (8:30-6:00) Second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory M. Desire
Examiner
Art Unit 2625



G.D.
July 12, 2004

BHAVESH M. MEHTA
SUPERVISORY PATENT EXAMINER
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